

ORDINANCE NO. 2015-18

AN ORDINANCE

**CHAPTER 1305 OF THE CODIFIED ORDINANCES OF
THE VILLAGE OF WAITE HILL, OHIO, TO REVISE THE
FEES THAT ARE CHARGED FOR VARIOUS BUILDING
INSPECTIONS PERFORMED BY THE VILLAGE, AND
ESTABLISHING A ROAD REPAIR BOND REQUIREMENT
AND DECLARING AN EMERGENCY.**

WHEREAS, the Village desires to restate and amend the fees which are charged by the Village for building inspection services and to provide for the collection of a road bond to secure repairs that are necessitated by construction traffic related to a building project in the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF WAITE HILL, LAKE COUNTY, STATE OF OHIO:**

SECTION 1. That existing Chapter 1305, “Permits, Plans and Numbering Buildings” of the Codified Ordinances of the Village of Waite Hill is amended as follows:

“CHAPTER 1305

Permits, Plans and Numbering Buildings

1305.01 VILLAGE BUILDING PERMIT APPLICATION FEE.

At the time of filing any application for a permit for the construction, repair, alteration, remodeling or modification of a building as required by the Zoning Ordinance, architectural design ordinance or any other ordinance or resolution now in effect or hereafter enacted, the applicant shall deposit with the Village Clerk-Treasurer, or such other officer charged with the duty of receiving such applications and data, the sum of one ~~thousand~~ ~~hundred~~ dollars (\$1,000.00), which is hereby fixed and determined as the fee therefore. Such sum or any part thereof in no event shall be refunded to the applicant or person making payment thereof.

1305.02 ZONING PERMIT FEES.

The following schedule of fees is hereby established for applications for zoning permits in the Village:

<u>Type of Application</u>	<u>Amount of Fee</u>
New residence	\$1,000.00
Accessory structure or addition to residence	500.00
Fence	100.00

1305.03 SITE PLANS REQUIRED FOR NEW CONSTRUCTION.

Prior to the approval of any construction plans for new construction of a principal building, the owner of the subject property shall submit to the Planning and Zoning Commission of the Village, a site plan showing all existing and/or proposed improvements, utilities, roads, property lines, and amenities on the subject property. The required site plan shall be prepared and certified by a registered engineer or surveyor. If, after having been requested to do so by the Clerk- Treasurer and/or the Planning and Zoning Commission, the applicant fails to submit a site plan in accordance with the requirements of this section, the Planning and Zoning Commission and/or Architectural Board of Review may dismiss, or indefinitely defer, consideration of the construction plans for such property.

1305.04 BUILDING NUMBERING SYSTEM; PENALTY.

- (a) The house and building numbering system prepared for the Village of Waite Hill, the Map of which is on file in the office of the Chief of Police, at the Village Hall, is hereby adopted and such Map shall remain on file at all times.
- (b) Each owner or occupant of a building which has been assigned a house or building number as set forth on such Map, shall cause such number to be displayed upon the front entrance of such house or building, or at the street or drive to such house or building, so as to be readily distinguishable at a distance of not less than fifty feet from the improved portion of the street upon which such house or building fronts.
- (c) Whoever violates subsection (b) hereof, shall be deemed guilty of a minor misdemeanor, and upon conviction, fined not more than one hundred dollars (\$100.00), and costs.

1305.05 DEPOSIT FOR INSPECTIONS; ~~OF FOUNDATION REQUIRED;~~ ~~DEPOSIT~~; PROHIBITIONS AND PENALTIES.

- (a) At the time of filing an application for a permit pursuant to the provisions of Section 1305.01, each applicant shall also **make a deposit based upon the following schedule:** ~~deposit the sum of one hundred dollars (\$100.00).~~

(1)	New home or accessory structure	\$1,000
(2)	Exterior addition to a building	\$ 750
(4)	Fence	\$ 250

The purpose of the deposit required by this section is to secure the cost of such procedures as may be necessary for the Village Planning and Zoning Commission to ascertain that the foundation of the structure or structures for which a building permit is to be issued is properly located on the subject property or premises as required by the terms of the approved site plan for improvements submitted pursuant to the provisions of Section 1305.03, **and that the inspections required by Chapter 1313 of the Codified Ordinances are paid by the party that is incurring the inspection costs. The professional fees for such inspections shall be paid by the Village at the rates agreed to by the Village and its professionals. In the event the inspections and re-inspections (if any) cost more than the deposit, the**

applicant shall pay the Village the additional amount; in the event the inspection fees are less than the deposit, the Village shall refund such difference upon closing out the permit for the project.

(b) The Commission shall require such evidence as is necessary and reasonable that the foundation of a new structure has been located on the premises as required by the building permit. Upon such determination, the Chairman or Secretary of the Commission shall make a notation to that effect on the building permit.

(c) After the construction of the foundation, no person shall perform work on the premises subject to the permit until the Commission approval required by subsection (b) hereof shall have been obtained and noted on the building permit.

(d) The deposit required in subsection (a) hereof shall be applied to any expenses incurred by the Village in gathering information or evidence necessary for the determination required by subsection (b) hereof. The balance of such deposit, if any, shall be returned to the applicant.

(e) Whoever violates subsection (c) hereof shall be guilty of a minor misdemeanor, and fined not more than ~~one~~ two hundred fifty dollars (\$~~100~~250.00) and costs.

1305.06 EXPIRATION OF PERMITS; EXTENSION; RENEWAL.

(a) A building permit issued pursuant to this chapter shall expire by time limitation under the following conditions:

(1) If no work under the permit is commenced within six months after the issuance of the permit;

(2) If, after work has been commenced, there is a cessation of work for one hundred twenty days, in which case, upon notice from the Building Inspector, which notice may be posted upon the premises, the permit shall expire; or

(3) If, after work has been commenced, all work to be performed under the permit is not completed within eighteen months after issuance of the permit.

(b) A person may obtain a one-time six-month extension of an unexpired permit upon a showing, satisfactory to the Planning and Zoning Commission, that work on the project will be completed within the extension period. No fee will be charged by the Village for this extension.

(c) A permit which has been expired for a period of six months or less may be renewed for a period to be determined by the Planning and Zoning Commission, upon a showing, satisfactory to the Planning and Zoning Commission, that work on the project will be completed within the extension period, provided no changes have been made in the original plans and specifications for such work. The renewal fee shall be one half the amount required for a new permit. Permits which have been expired for greater than six months shall require a new application and payment of the full permit fee.

(d) If work on any building or structure is not completed pursuant to the permit provisions contained herein, the Village, by and through the Law Director at the direction of the Mayor, may seek relief under Chapter 1311 of this Building Code.

(e) The provisions of this section shall be deemed to be the controlling law of the Village notwithstanding the permit expiration, extension and renewal provisions contained within the Residential Code of Ohio, which shall be deemed repealed only to the extent they conflict herewith.

1305.08 ROAD BOND.

At the time of filing an application for a permit pursuant to the provisions of Section 1305.01, each applicant shall post a road bond in an amount fixed by the Village Engineer in an amount sufficient to guarantee the restoration of roads and underground utilities that may be damaged by such construction, repair, alteration, remodeling or modification of a building.”

SECTION 2. That existing Chapter 1305 of the Codified Ordinances of Waite Hill, Ohio, and any ordinances in conflict herewith, are repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the Village of Waite Hill.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2015

Council President

Submitted to the Mayor for
his approval on this
_____ day of _____, 2015

Approved by the Mayor

ATTEST:

_____, 2015

Clerk-Treasurer

Mayor